IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 16185 of 1998

Between:

M/s HMT Sathavahana Nagar, Welfare Association, Kukatpalli, Hyd.,
Rep by its Secretary Sri B.Subhas Chandra Bose, S/o Satyanarayana Reddy, R/o Kukatpalli, Hyd.

..... PETITIONER

AND

1 The Dist.Collector, R.R.Dist., Lakdikapool, Hyd.
2 The Commissioner, Kukatpalli Municipality, Hyd.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of mandamus declaring the action of the respondents in not stopping sanctioned work via. Swathi Aprts. to HMT Colony, Hyd, under Janmabhoomi Programmee to the contractor cum habitation committee member Sri P.S.R.K.Bhagvan for extension of the drainage system through the petitioner society drain as illegal, arbitrary and without having any power and authority

Counsel for the Petitioner:MR.K.G.K.PRASAD

Counsel for the Respondent No. 1: GP FOR MUNCIPAL ADMN. & URBAN DEV.

Counsel for respondent No.2 : SRI POLISETTI RADHAKRISHNA

SC for Municipalities (T.A)

The Court made the following :

ORDER:

The present writ petition is filed questioning the action of the respondents in not providing proper drainage system and in connecting the drainage lines of other areas in the existing drainage system, causing inconvenience to members of the petitioner Association.

The petitioner contends that the existing drainage system was constructed by its funds, capable for accommodating about 400 houses. The grievance of the petitioner is that the existing drainage system is not capable to meet the present needs and the respondents in stead of laying a new drainage line, or developing the existing drainage system are permitting the new complexes to connect their drainage system in the existing drainage system causing inconvenience and frequent blockages. Hence, the present writ petition seeking a direction to the respondents to provide a new drainage system to the entire area.

Heard learned counsel for petitioner and learned Standing Counsel for second respondent Municipality.

A counter affidavit was filed by the second respondent denying the averment made by the petitioner that the existing drainage system is being maintained by the petitioner society at its cost. It is further stated that vide G.O.Ms.No.158 dated 27-3-2003, an administrative sanction was accorded for Rs.62.00 crores and that Rs.0.50

crores were released under Mega City funds vide proceedings dated 19-2-2004 and that the laying of drainage system is under process. It is also stated that with regard to Zone –I the work was entrusted to an agency and with regard to Zone II proposals were technically sanctioned and tender process is under finalisation and that with regard to Zones III to VIII the proposals are under formulation stage. It was also assured in the counter affidavit that the second respondent municipality is aware of needs of the general public in view of the rapid growth and taking measures to develop the present sewerage and drainage system.

In view of the counter averments that the second respondent municipality is taking necessary steps for development of the present sewerage and drainage system, no further orders are required to be passed in the writ petition. Accordingly, the writ petition is closed.

No costs.

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N.V.RAMANA,J

20-4-2005

TVK

..... REGISTRAR

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SECTION OFFICER

To

1 The Dist.Collector, R.R.Dist., Lakdikapool, Hyd.
2 The Commissioner, Kukatpalli Municipality, Hyd.

3) 2 CD copies

4) 1 CC to MR.POLISETTI RADHAKRISHNA (SC FOR MPL)